

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

F040378 White v. Sikes et al.,

Cause called and argued by Arthur L. Barnes, Esq., counsel for appellant Robert S. White and by Robert P. Andris, Esq., counsel for respondent Nanci Sikes et al.

Cause ordered submitted.

At this point Levy, J. leaves the bench and is replaced by Buckley, J.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Timothy S. Buckley, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Shandra Gallagher, Assistant Deputy Clerk.

F039042 People v. Guzman

Cause called and argued by Charles M. Bonneau, Esq., counsel for appellant Robert Ray Guzman. Kathleen McGurty, Deputy Attorney General, counsel for respondent The People waived oral argument.

Cause ordered submitted.

Court recessed until Monday, March 17, 2003 at 10:00 A.M.

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F038356 People v. Hull

Appellant's convictions in counts I and II are affirmed; appellant's conviction in count V is reversed; the true finding on each and every prior "strike" and Health and Safety Code section 11370.2 enhancement is stricken; the entirety of the sentence imposed is vacated and the matter is remanded to the trial court for resentencing and such further proceedings as may be appropriate. Harris, Acting P.J.

We concur: Wiseman, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039640 People v. Wilson

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F042070 In re Laura A. et al.

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F037923 Ball v. Fortson et al.

The judgment is affirmed. Costs are awarded to respondents. Dibiaso, Acting P.J.

I concur: Wiseman, J.

I dissent: Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041039 In re Morgan S., a Minor

Appellant's petition for rehearing filed herein is denied.

F037903 People v. Luster et al.

F038429 People v. Riley

The petitions for rehearing filed by appellants Daphney Luster and Gina Caruso filed herein are denied.

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F039087 **Barela v. Board of Trustees of the Selma Unified School District et al.**
F039655

The trial court's judgment granting the petition for writ of mandate is reversed insofar as it requires the District to make a finding regarding the likelihood of recurrence. In all other respects, the judgment is affirmed. Levy, J.

We concur: Vartabedian, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041078 **People v. Lee**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F041078 **People v. Lee**

The judgment is affirmed.

By the Court.

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